

REMARKS

Of pending claims 27 and 32-56, claims 45 and 54-55 have been cancelled. Claims 57-62 have been added. The added claims are directed towards methods of stimulating a subterranean formation comprising injecting a fracturing fluid containing a polyglycolpolyamine. These methods are well described in the specification, such as in paragraph [38].

Applicant does not believe that any fees are due at this time; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Commissioner is authorized to deduct the fees from Howrey Simon Arnold & White, LLP Deposit Account No. 01-2508/10286.0315.NPUS00/BNT.

I. Allowance of claims

Applicant thankfully acknowledges the allowance of claims 27, 32-44, 46-53, and 56.

II. Rejection under 35 U.S.C. § 102

Claims 54-55 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Burns (U.S. Patent No. 4,690,219). The Examiner indicated that Burns teaches a fracturing fluid comprising an acid, an N-vinyl lactam copolymer, brine (may comprise KCl), and possibly having a pH within the scope of the present invention. The Examiner stated that the N-vinyl lactam copolymer would act as a gas hydrate controller, and is added at the same levels as in the present invention.

In order to expedite issuance of the allowed claims, claims 54 and 55 have been cancelled.

Claim 54 was rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Chang et al. (U.S. Patent No. 6,165,947; hereinafter "Chang"). The Examiner cited Chang as teaching a fracturing fluid comprising a HEC or guar crosslinked polymer, a clay stabilizer such as KCl, and methanol at a level of about 2%. The Examiner stated that the methanol would act as a gas hydrate controller.

As described above, claim 54 has been cancelled.

Claim 45 was rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Harris (U.S. Patent No. 5,827,804). The Examiner cited Harris as teaching a fracturing fluid comprising water, a water soluble polymer, a crosslinking agent such as boric acid or borates, and ethylene glycol. The Examiner indicated that the ethylene glycol is a gas hydrate controller.

In order to expedite issuance of the allowed claims, claim 45 has been cancelled.

In light of the above amendments and remarks, reconsideration and withdrawal of the outstanding objections and rejections are respectfully requested. All amendments are made in a good faith effort to advance the prosecution on the merits. Applicant respectfully submits that no amendments have been made to the pending claims for the purpose of overcoming any prior art rejections that would restrict the literal scope of the claims or equivalents thereof. Applicant reserves the right to subsequently take up prosecution of the claims originally filed in this application in continuation, continuation-in-part, and/or divisional applications.

The Examiner is encouraged to call the undersigned should any further action be required for allowance.

Serial No. 09/855,412
Response to Office Action Dated March 27, 2003

Respectfully submitted,



Christopher J. Buntel, Ph.D.
Reg. No. 44,573
Customer No. 23369
ATTORNEY FOR ASSIGNEE,
BJ SERVICES COMPANY

FAX RECEIVED
JUL 29 2003
GROUP 1700

Howrey Simon Arnold & White, LLP
750 Bering Drive
Houston, TX 77057-2198
(713) 787-1569

July 28, 2003